

Serial No. 10/660,101
Att'y. Dkt. DOC 0056 LA/40218.130
DC 5002CIP1 - GC727-4

- 5 -

BEST AVAILABLE COPYREMARKS

Claims 1-55 have been canceled without prejudice to their being re-presented in a timely-filed divisional patent application. Claims 68-71, directed to a method of using a topical preparation, have been newly added.

In the Office Action, the Examiner required restriction among the following inventions which she grouped as follows:

- I. Claims 1-42, drawn to a topical preparation comprising an internal hydrophilic phase comprising an active agent and an external phase comprising a silicone matrix;
- II. Claims 43-55, drawn to a method of making a topical preparation comprising an internal hydrophilic phase comprising an active agent and an external phase comprising a silicone matrix; and
- III. Claims 56-67, drawn to a method of using a topical preparation comprising an internal hydrophilic phase comprising an active agent and an external phase comprising a silicone matrix.

Further, the Examiner also required that applicants make several elections of species. Specifically, the Examiner required applicants to elect a single disclosed species from each of the following:

Hydrophilic carriers: Various, as in claim 11, for example;

Active agents: Various, as in claim 14, for example;

Hydrolases: Lipases and proteases, as in claim 16, for example;

Proteases: Subtilisin protease, Protease A, Protease B, and LG12, as in claims 17-19, for example; and

Silicone matrices: Various, as in claim 30, for example.

In response to the restriction requirement, applicants hereby elect the invention identified by the Examiner as Group III, claims 56-67, and newly-added claims 68-71, for prosecution. Applicants believe that claims 68-71 are directed to the elected invention.

Serial No. 10/660,101
Att'y. Dkt. DOC 0056 IA/40218.130
DC 5002CIP1 - GC727-4

- 6 -

BEST AVAILABLE COPY

With respect to the species election requirements, applicants hereby elect as follows:

Hydrophilic carriers: propylene glycol;

Active agents: hydrolases;

Hydrolases: proteases;

Proteases: LG12; and

Silicone matrices: silicate resins in silicone polymers.

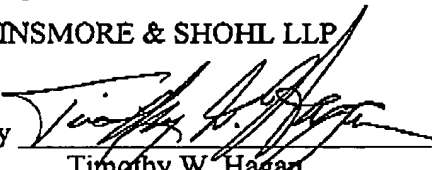
Applicants believe that elected claims 56-71 read on the elected species propylene glycol, that elected claims 56-58 and 62-71, read on the elected active agent; and that elected claims 56-71 read on the elected silicone matrix.

Applicants respectfully request that the Examiner act on the patentability of the elected claims.

Respectfully submitted,

DINSMORE & SHOHL LLP

By



Timothy W. Hagan
Registration No. 29,001

One Dayton Centre
One South Main Street, Suite 1300
Dayton, Ohio 45402-2023
(937) 449-6400
Facsimile: (937) 449-6405
E-mail: tim.hagan@dinslaw.com
TWH/